IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 4402 of 1998

Between:

1. Gandinagar Harijan Labour Contract Coop. Society Ltd., Reptd. By its President Ubbepalli Somulu, S/o Venkaiah, Miryalguda.
2.Sri Krishna Labour Contract Coop. Society, Rep. By its President Sri M.N Rao, S/o Narsimham, Haliya (V), Anumula (M),Nalgonda Dist.
3.Ambika Mutual Aided Labour Contract Coop. Society Rep. By its President Sri S. Mallaiah, S/o Lachaiah, Sakhapuram (V), Nidamanuru (M),Nalgonda Dist.

..... PETITIONERS

AND

1 The Chief Engineer (R & B) NH Division, A.P. Hyderabad.
2 The Executive Engineer, (R & B) NH Division, Vijayawada, Krishna Dist.
3 The Executive Engineer, (R & B) NH Division, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ or direction preferably Writ of Mandamus declaring the action of the Respondents in respect of insisting for payment of EMD, and Income Tax Clearance Certificate for issue of Tender Schedules and at the time of issuing eligibility as the Bidder for participation in the Tender Proceedings in respect of Notification No. 31/TA.VI/ NH.III-12 dated 21st January, 1998, and Notification No. 115055/ TA.VI/NH.III-12 dt:7.2.1998 as illegal, arbitrary and also violative of principles of natural justice.

Counsel for the Petitioners: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following :

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THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 4402 of 1998

ORDER:

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Learned Counsel for the petitioners submits that the writ petition has become infructuous and that it may be dismissed as such.

In the circumstances, the writ petition is dismissed as infructuous. No costs.

8-12-2004

Gsn.

To

1 The Chief Engineer (R & B) NH Division, A.P.
Hyderabad.
2 The Executive Engineer, (R & B) NH Division,
Vijayawada, Krishna Dist.
3 The Executive Engineer, (R & B) NH Division,
Visakhapatnam.

4 2 Ccs to the G.P. for R & B, High Court of A.P.,Hyderabd(OUT)

5 2 CD copies.

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

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8-12-2004